

Message Text

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ACTION PM-04

INFO OCT-01 EUR-12 ISO-00 SS-15 NSC-05 CIAE-00 INR-07

NSAE-00 ERDA-05 ACDA-05 /054 W

----- 096786

R 111819Z MAR 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 7158

INFO AMCONSUL BREMEN

SECDEF WASHDC

CNO WCINC USNAVEUR LONDON

CINC LANT NORFOLK VA

COMSUBLANT NORFOLK

C O N F I D E N T I A L SECTION 01 OF 02 BONN 04140

E. O. 11652: GDS

TAGS: MARR, MNUC, GW

SUBJECT: NPW VISITS TO FRG

REF: STATE 047519 DTG 270136Z FEB 76

BEGIN SUMMARY: THE DCM MADE THE POLITICAL DEMARCHE AUTHORIZED BY REFTEL ON MARCH 10. IN DOING SO, HE LEFT THE FOREIGN OFFICE AN AIDE MEMOIRE ALONG WITH A COPY OF PL 93-513 AND A COPY OF THE REPORT BY THE JOINT CONGRESSIONAL COMMITTEE ON ATOMIC ENERGY DATED OCTOBER 16, 1974. DEPUTY ASSISTANT SECRETARY RUHFUS RESPONDED TO THE DEMARCHE POSITIVELY, SAYING THAT THE FOREIGN OFFICE WOULD LOOK AT THE PROBLEM ONCE AGAIN IN VIEW OF ITS POLITICAL IMPORTANCE. END SUMMARY.

1. THE DEMARCHE WAS MADE TO DR. RUHFUS, ACTING FOR POLITICAL DIRECTOR VAN WELL WHO WAS FULLY TAKEN UP WITH THE DEBATE OVER THE RATIFICATION OF THE POLISH TREATIES.

2. THE EMBASSY'S ORAL PRESENTATION MADE FOUR MAJOR POINTS:

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-- FIRST OF ALL, WE EXPRESSED APPRECIATION FOR

FOREIGN OFFICE EFFORTS TO RESOLVE THE PROBLEM.

-- SECONDLY, WE EXPRESSED APPRECIATION FOR THE ASSURANCES THAT THE PROBLEM WAS ONE OF FINANCIAL LIABILITY, NOT OF POLITICAL WILL.

-- THIRD, WE UNDERScoreD THAT THE QUESTION OF PRINCIPLE INVOLVED WAS AN IMPORTANT ONE. WE NOTED THAT OUR NATO PARTNERS LOOKED UPON US-FRG RELATIONS AS A MODEL FOR THE ALLIANCE. ONCE NPW WERE ALLOWED TO VISIT FRG PORTS, IN THE SAME MANNER AS CONVENTIONAL WARSHIPS, IT WOULD BE EASIER TO WORK OUT SIMILAR AGREEMENTS WITH OTHER NATO ALLIES. CONVERSELY, AS LONG AS PROBLEMS EXISTED WITH REGARD TO NPW VISITS TO GERMAN PORTS, THESE ALLIES WOULD BE RELUCTANT ROUTINELY TO APPROVE SUCH VISITS TO THEIR PORTS. IN SHORT, WE ARGUED THAT THE LACK OF US-FRG AGREEMENT CONCERNING NPW VISITS IMPACTED ADVERSELY ON US ABILITY TO USE NAVAL POWER TO SUPPORT THE DEFENSIVE POWER OF THE ALLIANCE EVERYWHERE.

-- FINALLY, WE HANDED OVER A JOINT RESOLUTION OF THE CONGRESS DATED DECEMBER 6, 1974 (PUBLIC LAW 93-513) ASSURING COMPENSATION FOR DAMAGES CAUSED BY NUCLEAR INCIDENTS INVOLVING THE NUCLEAR REACTOR OF A UNITED STATES WARSHIP. WE ALSO HANDED OVER A COPY OF THE REPORT BY THE JOINT CONGRESSIONAL COMMITTEE ON ATOMIC ENERGY DATED OCTOBER 16, 1974 WHICH DESCRIBED THE INTENT OF THIS RESOLUTION. IN DOING SO WE EXPRESSED THE HOPE THAT OFFICIAL TRANSMISSION OF THESE DOCUMENTS TO THE FEDERAL REPUBLIC WOULD FACILITATE THE FOREIGN

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----- 096858

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 7159
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CINC LANT NORFOLK VA
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C O N F I D E N T I A L SECTION 02 OF 02 BONN 04140

OFFICE'S EFFORTS TO RESOLVE THIS MATTER WITH OTHER
MINISTRIES AND WITH THE LAENDER.

3. IN RESPONDING TO OUR DEMARCHE, DR. RUHFUS ASSURED
US THAT THE FRG SAW THE FULL POLITICAL IMPORTANCE OF
THE PROBLEM. HE ALSO NOTED THAT RECENT EVENTS IN
ANGOLA HAD HIGHLIGHTED THE SIGNIFICANCE OF CONTROL OF
THE SEA. FINALLY, HE REITERATED THAT THE PROBLEM AROSE
BECAUSE OF THE FEDERAL STRUCTURE OF THIS COUNTRY, NOT
FROM ANY FRG UNWILLINGNESS TO BE FORTHCOMING.

4. COMMENT: THE EMBASSY IS ENCOURAGED BY DR. RUHFUS'
ASSURANCES THAT THE FOREIGN OFFICE WOULD LOOK AT THE
PROBLEM AGAIN IN VIEW OF ITS POLITICAL IMPORTANCE. WE
ARE ALSO ENCOURAGED BY INDICATIONS THAT SOME PROGRESS
HAS BEEN MADE IN GETTING AROUND THE CONSTITUTIONAL
QUESTION OF THE RELATIVE AUTHORITY OF THE FEDERAL
GOVERNMENT AND THE LAENDER IN THIS FIELD. NEVERTHELESS,
A NOTE OF CAUTION IS WARRANTED: THE CONSTITUTIONAL
PROBLEM IS A REAL ONE, NOT A PRETEXT, AND IT REMAINS TO
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BE SEEN WHETHER A GENUINE FOREIGN OFFICE DESIRE TO BE
HELPFUL MAY BE ENOUGH TO RESOLVE THE ISSUE SPEEDILY.
HILLENBRAND

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